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7 Attorneys for Defendant-Appellant
 CHANDRAKANT SHAH
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10 IN THE UNITED STATES DISTRICT COURT
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 12 SAN JOSE DIVISION

13 In Re:

14 SAN JOSE AIRPORT HOTEL, LLC, dba
 15 HOLIDAY INN SAN JOSE;
 16 MOBEDSHAHI HOTEL GROUP,
 Debtors.

) Case No. 17-cv-00858 EJD

) **MOTION FOR FOUR-DAY**
) **EXTENSION OF TIME TO FILE**
) **APPELLANT’S REPLY BRIEF**
) **AND ~~PROPOSED~~ ORDER**

17 _____
 18 MOHAMED POONJA,
 19 Plaintiff-Appellee,

) (Appeal from Poonja v. Sevak & Sons,
) L.P. et al. (In re San Jose Airport
) Hotel, LLC), Bankr. N.D. Cal. (San
) Jose) Case No. 09-51045 SLJ Ch. 7,
) Adv. No. 11-05236)

20 vs.

21 CHANDRAKANT SHAH,
 22 Defendant-Appellant.
 23 _____
 24

25 Defendant-appellant Chandrakant Shah, through his counsel, hereby moves the Court for
 26 a four-day extension of time, from July 31, 2017, to and including August 4, 2017, to file his
 27 reply brief in this matter.

28 In support of this motion, Dennis P. Riordan declares under penalty of perjury as

1 follows:

2 1. I am counsel for Mr. Shah in this appeal.

3 2. This appeal challenges the Bankruptcy Court's order awarding appellee more than \$11
4 million in damages.

5 3. Appellant's opening brief was originally due on April 3, 2017. With the consent of
6 counsel for appellee, appellant moved for a 30-day extension of time to file his brief, to and
7 including May 3, 2017. Doc. No. 8. The Court granted appellant's motion. Doc. No. 9.
8 Appellant filed his opening brief on May 3, 2017. Doc. No. 11. Appellee then moved for a 30-
9 day extension of time to file his responsive brief, with the consent of undersigned counsel. Doc.
10 No. 12. The Court granted the motion and appellee filed his responsive brief on July 3, 2017.

11 4. Per Federal Rule of Bankruptcy Procedure 8018, appellant's reply brief was due 14
12 days after appellee's responsive brief, which was July 17, 2017.

13 5. Appellant previously sought an unopposed 14-day extension of time to file his reply
14 brief, Dkt. 15, which the Court granted, making the reply brief due July 31, 2017. Dkt. 16.

15 6. Appellant now seeks an additional extension of time of four days to file his reply
16 brief. This motion is founded on the extraordinary press of business in our office. In addition to
17 the items listed in our first motion for an extension (*see* Dkt. 15), we have, in the last two weeks,
18 been required to: file a sentencing memorandum in connection with a federal bid-rigging case,
19 *United States v. Roemer*, 15CR00228 (N.D. Cal.); prepare for and attend Mr. Roemer's
20 sentencing hearing; prepare for and argue a case, *People v. Jo*, C079280, in the Third District of
21 the California Court of Appeal; prepare for and attend a discovery hearing in connection with an
22 upcoming evidentiary hearing on our motion for relief under 28 U.S.C. §2255 challenging our
23 client's federal district court convictions for offering material support to terrorists and making
24 false statements, *United States v. Hayat*, E.D. Cal. No. CR S-05-0240 GEB DB; and prepare for
25 and argue various pretrial motions in connection with our client's upcoming trial for conspiracy
26 to commit wire and securities fraud, wire fraud, securities fraud, and false statements, *United*
27 *States v. Baker*, Fifth Cir. No. 14-51012 (W.D. Texas Criminal No. 1:13-CR- 346-SS).

28 7. My office contacted James A. Hennefer, counsel for appellee, this morning and, as of

1 the time we filed this motion, had not heard back from him.

2 8. We have exercised diligence in this matter and will file the reply brief on the
3 requested date should the present motion be granted.

4 9. For the foregoing reasons, I respectfully request that the Court grant us a four-day
5 extension of time, to and including August 4, 2017, to file appellant's reply brief.

6 Executed this 28th day of July, 2017, at San Francisco, California.

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8 /s/ Dennis P. Riordan
Dennis P. Riordan

9 Attorney for Defendant-Appellant
10 CHANDRAKANT SHAH
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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In Re:
SAN JOSE AIRPORT HOTEL, LLC, dba
HOLIDAY INN SAN JOSE;
MOBEDSHAHI HOTEL GROUP,
Debtors.

) Case No. 17-cv-00858 EJD

) **[PROPOSED] ORDER GRANTING**
) **APPELLANT'S MOTION FOR**
) **FOUR- DAY EXTENSION OF**
) **TIME TO FILE HIS REPLY BRIEF**

MOHAMED POONJA,
Plaintiff-Appellee,

) (Appeal from Poonja v. Sevak & Sons,
) L.P. et al. (In re San Jose Airport
) Hotel, LLC), Bankr. N.D. Cal. (San
) Jose) Case No. 09-51045 SLJ Ch. 7,
) Adv. No. 11-05236)

vs.

CHANDRAKANT SHAH,
Defendant-Appellant.

On unopposed motion of appellant and good cause appearing therefore, it is hereby
ordered that appellant be permitted to file his reply brief on or before August 4, 2017.

Dated: 7/31/2017



HONORABLE EDWARD J. DAVILA
United States District Court Judge